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OPEN DOOR INTERNATIONAL.

for the Economic Emancipation of the Woman Worker.

THIRD CONFERENCE, SENATE HOUSE, PRAGUE, JULY, 1933.

RESOLUTIONS UNANIMOUSLY ADOPTED.

I. RIGHT OF THE WOMAN WORKER TO PHYSICAL DEVELOPMENT.

The Open Door International *points out*

(1) that the muscular use of the body whether in work or play develops the physical capacity and improves the health of a man or woman; and that women employed in heavy work are stronger of physique and have better health, especially if such work is in the open air, than the woman confined to the sedentary, light, or indoor occupations:

(2) that it is not in accordance with facts to suggest that it is something new for women to undertake disagreeable, heavy, or dangerous physical labour, since for centuries women because they became healthy and well developed have taken their full share in the hard physical work necessary for the cultivation of the soil, for the getting, the manufacture, and the transport of food, drink, clothes, water, and materials for lighting, heating and cleaning, and in the heavy work of the household:

(3) that it is not in accordance with facts to suggest that women are invading what has always been the sphere of labour of the male worker, for it is rather men who have invaded the traditional work of women, especially when they engage in cooking, baking, preserving of foods, brewing, spinning, weaving, and the making of clothes, the manufacture of lighting materials, the transport of water, the getting of materials for heating, the cultivation of the soil, the gathering, thrashing, and grinding of the corn, the training of the young, and the doctoring of the sick.

The Open Door International therefore *declares*

(a) that to call work unsuitable for women because it is heavy, or disagreeable, or dangerous, is historically inaccurate, and moreover is to approach the question of women's labour in a spirit of doctrinaire sentimentality based on a false ideal of gentility, which ignores the working woman's real economic interests—the wages she is able to earn: and

(b) that to exclude a woman from such work, and to seek to restrict her to light, indoor, and sedentary occupations, tends to produce in the female worker an artificial inability to undertake more strenuous physical labour; and moreover it is an impertinent interference with her best economic interests which should leave her with the same wide opportunities as a man.

The Open Door International therefore **URGES**
that education and social custom should aim at providing the same

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opportunities for the physical development in gymnastics and play for the girl as for the boy, and for the woman as for the man;

and that girls and women should be encouraged and given the opportunity to enter occupations requiring a well-developed and strong body, so that girls of strong physique may be free to enter suitable work, and not have set before them the false standard of the sedentary, light, indoor, or genteel; and that any regulation of disagreeable, heavy, and dangerous work shall be the same for men and women.

2. WOMEN AND THE RIGHT TO WORK IN MINES.

The Open Door International *having noted* that the Governing Body of the International Labour Office has placed on the Agenda of the 18th Session of the International Labour Conference, 1934, the question of the 'employment of women on underground work in mines of all kinds,'

Declares that women should have the same right as men to earn money by working underground.

The Conference calls attention to the following facts:

- (a) When by the British Coal Mines Act of 1842 women for the first time in the world were legally forbidden to work underground, the women miners protested by deputation and petition, and the Report made in 1844 by the Commissioner appointed to enquire into the operation of that Act stated: "In many parts of the coal districts where women had been employed complaints were numerous of the hardships the Act had inflicted," some of the women "having been reduced from a position in which they could feed and clothe themselves in comfort and decency to the necessity of resorting to the most humiliating employments such as collecting manure on the roads."
- (b) When in 1929 under the Regulation of 7th March it was laid down that by 1939 all women should have been progressively eliminated from underground work in mines in British India, "the women themselves objected to the change because the miners worked in family groups and the elimination of women would mean a decrease in the total earnings of each family. . . . The average pay for a male worker was 13 annas a day, that for a woman 7 annas. There was no discontent among the workers, since these wages were higher than they could earn as agricultural workers." (Evidence given by the Chief Inspector of the Mines of India before a Royal Commission on 17th December, 1928).
- (c) The women miners of Japan who will be affected by any further prohibition have no means of making their views known, since of the 44,774 women miners employed in 1930 in the mines of Japan only 148 were members of miners' Trade Unions. Underground work in mines was better paid than work in industry, the average daily wages of underground women workers in Japan in 1931 being 1.04 yen, that in industry being .79 yen. (Industrial Labour in Japan, I.L.O. Studies and Reports, Series A. No. 37, page 204. 1933.)

The Open Door International therefore *protests* against this attempt on the part of the International Labour Organisation to turn out of their

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paid employment women engaged in underground work in mines, or to forbid such work to women, and *affirms*

- (1) that to turn women out of this paid work and to force them to seek other work which is not so well paid is cruel, and to forbid the future entry of all women into this employment is unjust;
- (2) that to limit the freedom of women to engage in this paid work open to male adult workers is to lower their status, and thus to do them a grave injury;
- (3) that to seek to forbid such work on the ground that it is unsuitable for women arises
 - i. from an attitude of doctrinaire sentimentality which ignores woman's real economic interests, the wages she is able to earn, and
 - ii. from an impertinent interference with the right of the woman to decide whether it is in her economic interests to undertake such work even though it may be disagreeable or heavy;
- (4) that it is the task of the International Labour Organisation to seek to secure that the conditions of work are such that the work is fit for workers, male or female, and that the real protection of women working in mines can best be secured by seeking to improve the conditions of all workers in mines.

3. UNEMPLOYMENT: 40 HOUR WEEK: REGULATION OF NIGHT WORK.

The Open Door International, *having noted* that the International Labour Organisation has placed the introduction of a 40 hour week on the Agenda of the 18th Session of the International Labour Conference 1934 *points out*

- (1) that where the Convention concerning the Employment of Women during the Night (Washington 1919) is in force, or the hours of women are otherwise regulated in a way different from those of men, any additional general restriction on the hours of work, which must of necessity involve the re-organisation of the hours schedules of the worker and even, possibly, the introduction of the two or three shift system, makes it more difficult for the employer to fit the woman worker into the new scheme and thus puts her at a disadvantage in her opportunities for employment, and
 - (2) that the question of the revision of the Washington Night Work Convention is at the moment under consideration,
- and *declares* that

as the unemployment of women is a matter as serious as the unemployment of men, and as any schemes for the reduction of unemployment should be such as to help men and women equally, it is the duty of the International Labour Organisation to make plans for reducing the unemployment not only of the male, but also that of the female worker, and not to introduce proposals which tend to limit relatively the woman worker's opportunities of employment;

and the Open Door International therefore *URGES*

- (a) that the International Labour Organisation should consider at the same time and in relation to each other the general reduction of

working hours together with restrictions on the night work of both men and women, and

- (b) that the International Labour Organisation should adopt only such revised Night Work Convention or other Hours Convention as provides

that any prohibition or regulation of hours of work or of night work shall apply equally to men and women, among the changes thus involved being:—

- (i) the total prohibition of certain processes to men and women;
- (ii) the scheduling of such continuous processes in which night work would be permitted to men and women on the same terms;
- (iii) the application equally to men and women in all industries or industrial processes where any night work is permitted of any regulation of hours, rest pauses, and general health and welfare conditions.

4. WOMEN AND THE RIGHT TO WORK AT NIGHT.

The Open Door International *having noted*

- (a) the Advisory Opinion of the Permanent Court of International Justice of November 15th, 1932, that the Convention concerning the Employment of Women during the Night (Washington, 1919) is not limited to prohibiting night work to women manual workers in industrial establishments, but likewise prohibits it to women in positions of supervision or management not ordinarily engaged in manual work; and
- (b) the statement of the International Labour Office that "as far as the Office is aware no Government and no organisation has expressed a desire to see such women "brought within the Convention's scope"; and
- (c) the differences of opinion as to the effect of the Advisory Opinion on women engaged in office work, commercial work, or other similar work in industrial undertakings; and
- (d) the Legal Opinion of the Legal Adviser to the International Labour Conference, 1931, that the International Labour Organisation itself has no power to abrogate the Convention by revision or otherwise,

URGES any Government which has ratified the Convention to take the only course possible for releasing itself from its obligations, namely that provided in Article 13 of the Convention, to "denounce" the Convention and to adopt the necessary amending national legislation.

IT FURTHER URGES that any revised or new Draft Convention should be such that it removes the special prohibition of night work from women, not only from the above mentioned categories but from all women, and places the same restrictions as to night work on men and women alike, any necessary continuous processes or other desired exceptions being scheduled as exemptions for men and women alike.

5. WOMAN EARNER'S RIGHT TO MARRIAGE: MARRIED WOMAN EARNER'S CHARTER.

- I. The Open Door International *condemns* as tyrannical, anti-social and uneconomic, the practice of denying the right to employment, and refusing employment, to women by reason of marriage, thus making employment depend not on efficiency but on sex and constituting a denial of the woman earner's right to marriage; and the same practice in its recent guise of preventing the employment of husband and wife by the same public authority; and the widespread propaganda to these ends:

and declares that the argument is unsound which seeks to justify such action

- (a) *on the alleged ground that it reduces unemployment*, seeing that it is merely a shifting of the incidence of unemployment from one person to another, and often results in the added unemployment of the woman's domestic or other paid help; or
- (b) *on the alleged ground that the work of a married woman brings two incomes into one home*, seeing that two incomes in one home are no new thing and have never excited opposition when they have resulted from the work of father, mother, sister, brother, son or daughter, or even from the earnings by one person of more than sufficient on which to live, or from earning at all in the case of a person who otherwise already has such sufficiency.

The Open Door International *declares*

- (a) that it is an impertinent and unjustifiable interference with the private rights of another and an ignoring of the responsibilities of the husband to prevent the employment of the married woman *on the ground that she has other responsibilities*, seeing that the added responsibilities of marriage are joint responsibilities of husband and wife, which should be equally shared, and seeing that the surroundings and difficulties of the married woman vary as do those of other people, and she should not be handicapped in the solution of those difficulties, nor be the only member denied the right to raise the standard of living of the family; and
- (b) that to prevent the employment of a woman on account of marriage

(i) deals a blow at her right to education, apprenticeship and professional training, since parents and public authorities are unwilling to give these to girls whose paid work terminates on marriage; and

(ii) tends to perpetuate the low status of all women earners since it encourages the limitation of their employment to unskilled and mechanical, and consequently low paid, processes, and makes employers unwilling to spend money and time on the training of women for skilled and responsible posts which they will be obliged to vacate on marriage.

III. The Open Door International *further condemns* the disabilities which indirectly prevent the good employment of the married woman, both

(a) *disabilities of recent origin* such as require the married woman to fulfil more onerous conditions before, under national insurance schemes, she can receive unemployment or sickness benefits, or invalidity or old age pensions, or such as reduce or even deny her such benefits or pensions; and

(b) *disabilities inherited from the past* such as give the husband control over the person, over the right to earn and over the earnings, of his wife, or deny her the right to sue in her own person.

IV. The Open Door International *points out* that it is only after a long struggle that in some countries the married woman has risen from that state of complete economic dependence in which she could neither work for pay, nor control her pay without the consent of her husband, and that it is grossly cruel, selfish, and tyrannical to seek to reduce her to a position of dependence on another without the common human right of protecting herself by selling her labour for gain, and thus drive her back into complete servitude—a status none the less that of a slave when that other is her husband.

V. The Open Door International *declares* that in the Married Woman's Charter of Rights shall be written equal rights and opportunities as an earner with the man and the single woman, and in particular those rights from which to-day the married woman is often debarred, namely:

- (a) the right to control her own person,
- (b) the right to decide for herself whether she shall engage in paid work, and the right herself to make a contract of employment,
- (c) the right to control her own earnings,
- (d) the right to sue in her own person,
- (e) the right to admission to and continuance in any employment or occupation,
- (f) the right to receive under national insurance schemes for unemployment, sickness, invalidity, and old age, equal benefits and equal pensions, on the same terms as the man and the single woman,

and *DEMANDS* that in all countries these rights shall be effectively recognised.

6. PROPOSED INTERNATIONAL LABOUR OFFICE ENQUIRY INTO MARRIED WOMEN'S WORK.

The Open Door International *having noted*

- (a) the publication by the International Labour Office of the article on Women's Work in the Encyclopaedia of Industrial Hygiene, "Occupation and Health," and the Note addressed by the International Labour Office to the Child Welfare Committee of the League of Nations, dated October 4th, 1932:

(b) that the I.L.O. Committee on Industrial Hygiene, held from July 30th to August 1st, 1931, at which conditions of work of married women were discussed

(i) "recognised that the employment of married women could not be prohibited at the present time" (Industrial and Labour Information, 10th Aug. 1931, p. 181),

(ii) agreed that the Hygiene Service of the International Labour Office should, after consultation with members of the Committee, draw up a list of operations from which "women at the age at which they are liable to become mothers" should be excluded, and

(iii) agreed that "it would be advisable to work in the direction of a reduction of the working hours for married women or mothers,"

(iv) recommended to the consideration of the Governing Body of the I.L.O. a proposal that "the I.L.O. should effect an enquiry in the different countries into the conditions under which a married woman employed in industry is at present situated as regards the fulfilment of her triple role of industrial worker, wife and housekeeper, and mother of children" (Record of the Meeting of the Committee presented to the 55th Session of the Governing Body, Geneva, October 12th, 1931, 17th Item on the Agenda).

(c) that the Governing Body of the International Labour Office

(i) approved the Record of the Committee, and

(ii) approved the suggestion that the Office should effect the above-mentioned enquiry, and agreed that it should submit a scheme of research to the Governing Body. (I.L.O. Official Bulletin, 15th June, 1932, p. 107)

declares

that it is strongly opposed to this proposed enquiry, since any enquiry into the conditions of workers should not deal with married women only as a class apart, and since married women should have the right to be in industrial employment under the same conditions as other workers, male or female.

and further declares that it is desirable in the interest of the married woman to ascertain what are the existing laws which lower her status as a worker; and that the facts which ought to be ascertained as to the legal position of the married woman worker should include:

1. whether the married woman can enter into a contract of employment without the consent of her husband or of the court;
2. whether she has the control of her own earnings without the consent of her husband or of the court;
3. whether she can sue and be sued personally in the courts without the consent of her husband or without having him joined with her;
4. whether she receives the same unemployment and sickness benefits and invalidity and old-age pensions as a man or a single woman and under the same conditions;

5. whether she has the control of her own person or whether her husband has the power to enforce any right to say where she shall live;
6. whether there is any law or practice excluding her from Government or Local Government service;
7. whether it is permitted under the law for a private employer to make a rule excluding married women from his employment;
8. whether it is legal for a Trade Union to make rules which allow of different conditions for the married woman, with examples;
9. whether a married woman has nationality in her own person;
10. whether a married woman has a personal domicile in her own person.

7. WIDOWS' AND ORPHANS' INSURANCE.

The Open Door International *notes* that the International Labour Organisation adopted at its 17th Session in 1933 two Draft Conventions dealing with Widows' and Orphans' Insurance, and is of opinion that these Draft Conventions are based on wrong principles, since they envisage the widow solely as the relict of her husband, and *holds* that this is a difficult and complicated question, and that the International Labour Conference has adopted these Draft Conventions without adequate consideration and on a wrong basis.

I. The Open Door International therefore

(a) *calls* upon the Branches and Affiliated and Associate Societies of the Open Door International to urge their respective Governments not to ratify these Conventions;

(b) *calls* upon its Board, and on its Branches and Affiliated and Associate Societies to make a detailed study of all aspects of this question; and

II. *resolves* to place this question on the Agenda of the 4th Conference of the Open Door International with a view to the adoption of a full policy with regard to widows' pensions.

8. WOMEN AND OLD-AGE AND INVALIDITY INSURANCE.

A. The Open Door International *notes* that the 17th Session of the International Labour Conference, 1933, adopted Six Draft Conventions, and a Recommendation dealing with Invalidity, Old-Age, Widows and Orphans Insurance, three of which apply to workers in industry and commerce, outworkers and domestic servants, and three of which are the same as the above, but apply to workers in agriculture, and that each Convention is divided into two parts, the first part dealing with contributory schemes and the second part with non-contributory schemes, either of which may be carried out by a State which ratifies the Convention.

B. The Open Door International, *while appreciating the action* of the International Labour Conference in rejecting proposals

(a) that women should receive old-age non-contributory pensions at a lower age than men (Article 16), and

(b) that the conditions for old-age and invalidity non-contributory pensions should vary with sex (O.A. Article 18: I. Article 19),

expresses profound dissatisfaction that the International Labour Conference

(c) adopted these Conventions which do not seem to ensure equality of treatment for men and women, and

(d) adopted a Recommendation which does not even recommend such equality.

C. The Open Door International *points out*

(i) that these Conventions provide that benefits may vary (*inter alia*) with "the amount of the contributions paid," and do not at the same time require men and women to pay contributions at the same rate, and would therefore seem to allow a ratifying State to continue or even to introduce an unjust system of lower contributions and lower benefits for women:

(ii) that these Conventions permit a ratifying State to forbid a married woman to continue in insurance as a voluntary contributor:

(iii) that these Conventions fail to make it clear that a married woman should have an equal right with others to appeal in her own person and not through her husband:

(iv) that these Conventions fail to ensure that "the essential needs" of a woman are to be taken to be not less than those of a man.

D. The Open Door International *declares* that it is better to have no Convention at all than one which sacrifices the woman for the sake of the support of countries which wish to retain or to introduce legislation putting women at a disadvantage, since this is to make a fetish of the mere fact that one more Convention has been adopted, instead of treating as an essential justice (which implies equality between men and women), on which alone any international Convention should be based.

9. RIGHTS OF WOMEN IN UNEMPLOYMENT INSURANCE.

A. The Open Door International, standing as it does for equal pay for equal work and no discrimination against women by reason of marriage, and *recognising* that a national unemployment insurance scheme is an integral part of the wage system of a country under which part of the earnings of the workers are paid in the form of benefit,

declares that any national or international unemployment insurance scheme should provide for equal contributions and equal benefits for men and women with no requirement for the fulfilment of additional conditions for receipt of benefit by a married woman and no exclusion of the married woman from benefits,

and *URGES* that any Convention or Recommendation of the International Labour Organisation on this subject shall include these provisions and in such a form as to be obligatory on any ratifying State, so that no such Convention or Recommendation shall in any way recognise or tolerate any existing system containing such unjust requirements in regard to women or to married women.

B. In so doing the Open Door International *calls attention to the facts*

- I. that "the principle that men and women should receive equal remuneration for work of equal value" is one of the nine General Principles set forth in Article 427 of the Treaty of Versailles (and in the corresponding articles of the other Treaties of Peace) and is there declared to be well fitted to guide the policy of the League of Nations;
- II. that the International Labour Organisation has recognised that it is its duty and part of its task to give effect to these General Principles in its Conventions and Recommendations;

and *condemns the action of the International Labour Office* in including in the Report on Unemployment Insurance prepared for the consideration of the 17th Session of the International Labour Conference, 1933, (Grey Report),

- a. the opinion that the payments under the British flat rate system of lower benefits to women than to men are justified at least financially by the fact that women pay lower contributions, and
- b. the suggestion that the following two points were suitable to be submitted to Governments by means of a questionnaire with a view to the adoption by the International Labour Conference in 1934 of a Convention or Recommendation on unemployment insurance, namely:
 - (i) whether the rate of benefit should vary according to the sex of the workers, and
 - (ii) whether among special cases married workers should be included.

and *expresses its appreciation of the action of the Workers' Group* at that Conference in moving the omission of both these suggested points from the proposed questionnaire, and its satisfaction that the Workers' motion on the second of these points was adopted,

and URGES ALL GOVERNMENTS in their replies to the questionnaire to say that contributions and benefits should be equal for men and women, and that there should be no exclusion of married women from benefits, nor any discrimination against them with respect to the conditions for the receipt of benefit.

C. The Open Door International *further points out* that (leaving the married woman out of account) there is no country outside the British Empire which lays down rates of benefits differing by reason of the sex of the recipient, giving lower benefits to women because they are women, with the single exception of the Saar Territory, administered by a Commission of the League of Nations,

and URGES THE LEAGUE OF NATIONS to take all possible steps to ensure that the unemployment insurance scheme administered by its Commission in the Saar Territory shall be brought into line with the General Principle set down for its guidance, and shall include the policy set forth in this Resolution.

10. WOMEN WORKERS IN GERMANY.

The Open Door International while expressing no opinion on the general political situation in Germany, which is a subject outside its scope, feels great anxiety regarding its sisters in Germany, because of the many rumours which have reached its members that women in that country are losing their jobs and having their right to work for pay restricted for no other reason than that they are women.

The Open Door International is aware that German women have capacities as good as those of the women in other countries, and are as capable of undertaking responsibility, and can see no reason why opportunities once given should be taken away.

The Open Door International instructs its Board of Officers to seek to ascertain what are the facts of the matter, and, should these facts show that any opportunities hitherto enjoyed by the women of Germany have been taken away, to condemn such action in the name of the Open Door International Branches and Affiliated Societies in all countries.

The Open Door International

for the Economic Emancipation of the Woman Worker.

OBJECT

To secure that a woman shall be free to work and protected as a worker on the same terms as a man, and that legislation and regulations dealing with conditions and hours, payment, entry and training shall be based upon the nature of the work and not upon the sex of the worker:

And to secure for a woman, irrespective of marriage, or childbirth, the right at all times to decide whether or not she shall engage in paid work, and to ensure that no legislation or regulations shall deprive her of this right.

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